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### **McFALL SENTENCED TO OVER TEN YEARS IN PRISON AS SAN JOAQUIN COUNTY CORRUPTION CASE CONCLUDES**

SACRAMENTO--United States Attorney McGregor W. Scott announced that MONTE D. McFALL, 60, of Lathrop, was sentenced today to 121 months in prison by U.S. District Court Judge Morrison C. England, concluding the San Joaquin County public corruption case. He was also ordered to serve a three-year term of supervised release after his prison term, and was ordered to pay a fine of \$50,000 and a \$1,700 assessment. Parole has been abolished in the federal system, and McFALL, who has been in custody since his conviction in March of last year, will be required to serve at least 85% of the prison time imposed today.

According to Assistant U.S. Attorney Benjamin B. Wagner, who is prosecuting the case, the sentencing of McFALL brings to a close the wide-ranging corruption case which was initiated in the summer of 2001, and jointly investigated by the FBI and an investigator with the San Joaquin County District Attorney's Office. The case also led to the guilty pleas of former San Joaquin County Sheriff T. BAXTER DUNN, 59; former San Joaquin County Supervisor LYNN BEDFORD, 69; former Executive Director of Governor Davis' Office of Criminal Justice Planning N. ALLEN SAWYER, 38; and BEDFORD's former legislative assistant, J. TYLER REVES, 37; all four of whom have previously been sentenced. McFALL was convicted on March 8, 2005, of 17 felony charges including attempted extortion, honest services fraud, and obstruction of justice, following a five-week jury trial in U.S. District Court that commenced in January 2005. McFALL's sentencing was delayed by a series of motions filed by the defendant and hearings which he requested.

In sentencing McFALL today, Judge England stated: "I've never seen anything like it, and I'm sure many of the citizens of San Joaquin County feel the same way." McFALL's conduct, Judge England said, was "one of the worst offenses of its kind that I have experienced." Judge England told McFALL that he was appalled by the "brazenness" of the scheme, citing the name "Show-me-the-money" which was the basis for the name of SMTM Partners, LP, one of the entities McFALL formed with defendants DUNN and SAWYER, and the fact that McFALL "used facilities within the Sheriff's Office" as his own. The extortion schemes, he said, "utilized the worst kind of intimidation" and said that "to see the fear that the witnesses had on the witness stand was amazing."

"Today's sentence vindicates the dedication and professionalism of the local and federal

agents who brought Monte McFall to justice. Public corruption, and its corrosive effect on the public trust, cannot and will not be tolerated in this region," said U.S. Attorney Scott.

FBI Special Agent in Charge Drew S. Parenti noted: "Cases involving corruption of our public officials are a top priority of the FBI in that all citizens are entitled to the fair and honest services of their government officials. This office will aggressively pursue all investigations involving officials who violate the public's trust, and those who conspire with them."

The offenses of which McFALL was convicted involved a series of schemes in which McFALL used intimidation and his political influence to try to extort various developers who sought to do business in San Joaquin County. The evidence at trial established that McFALL, SAWYER and DUNN represented Sunlaw Energy Corporation in connection with its efforts to secure permission to build a power plant at the Port of Stockton. McFALL was convicted of attempting to extort Calpine Corporation, a rival bidder for the Port of Stockton site. When Calpine refused to withdraw from the competition with Sunlaw, McFALL and his co-defendants attempted to punish Calpine by arranging for an anti-Calpine resolution to be passed by the San Joaquin Board of Supervisors and forwarded to the California Energy Commission. In his rulings today, Judge England found that defendants DUNN, SAWYER, BEDFORD and REVES were all participants in that scheme.

McFALL was also convicted of attempting to extort various other real estate developers, and of participating in a kick-back scheme involving the misuse of his office as a member of the board of trustees of Water Reclamation District #17 in south San Joaquin County, in which he netted over \$30,000. He was also convicted on two charges of witness tampering.

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